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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/724,414

05/20/2004

Jean Guy Canie

1061

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CANADA

EXAMINER

TRAN, DALENA

ART UNIT

PAPER NUMBER

3661

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/724,414

Applicant(s)

CANIE ET AL.

Examiner

Dalena Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-7 are pending.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 6, is rejected under 35 U.S.C. 101 because: "A logic algorithm" are computer programs, and not claimed as embodied in computer-readable media is a computer related nonstatutory subject matter. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035. A suggestion for correction of claim 6 is: "A computer readable storage medium storing a program for said purposes as set forth in claim 1 or 4".

Objection

3. Claim 6, is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim 6 not been further treated on the merits.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-7, are rejected under 35 U.S.C. 102(b) as being anticipated by Kelley (4878050).

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As per claim 1, Kelley discloses a remote control system for an automotive vehicle having an engine with an ignition circuit and a liquid fuel supply system and a laser radiation receiver mounted on said vehicle adapted to supply an electrical output signal only upon the reception of a encrypted and coded signal modulated in accordance with a pre-selected encrypted pattern (see columns 1-2, lines 61-23; and column 4, lines 16-60), a portable laser transmitter located at a position remote from said receiver for selectively transmitting an encrypted user adjustable highly directional narrow to wide laser signal beam modulated in accordance with said pre-selected encryption pattern, means responsive to output signal connected to the vehicle engine for disabling it upon reception of said encrypted radiation signal modulated in an pre-selected encryption pattern (see column 2, lines 24-43; and columns 4-5, lines 61-63), and delay means associated with disabling means for deactivating said disabling means by the controlling operator or other such authority whereby the vehicle can be slowed safely pursuant to timer logic and safely stopped over a fixed period of time by transmitting such a modulated encrypted user selected narrow or wide beam unidirectional radiation signal to receiver, and the vehicle may be restarted by the controlling operator or similar authority (see column 3, lines 1-37).

As per claim 2, Kelley discloses the disabling means comprises an electrical relay having a set of electrical contacts series connected in the ignition circuit for opening said ignition circuit (see column 3, lines 1-37).

As per claim 3, Kelley discloses the disabling means includes electrically actuated solenoid valve connected in said fuel system for interrupting the flow of fuel to the engine (see columns 6-7, lines 48-20).

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As per claim 4, Kelley discloses remote control system for an automotive vehicle having an engine with a liquid fuel supply system, remote control system comprising an encrypted laser radiation receiver mounted on said vehicle adapted to supply an electrical output signal only upon reception of a user selected adjustable narrow to wide beam unidirectional encrypted laser signal encrypted to at least the standard known as the Data Encryption Standard (D.E.S.), modulated in accordance with a selected encrypted pattern (see the abstract; column 4, lines 16-60; and columns 5-6, lines 64-47), a laser transmitter located at a position remote from said: receiver and adapted to selectively transmit a laser signal encrypted to at least the standard known as the Data Encryption Standard (see column 2, lines 24-42; and columns 4-5, lines 61-63), modulated in accordance with a pre-selected encrypted pattern, a electrically actuated solenoid valve connected in said fuel supply system for interrupting, in response to an output signal supplied by said receiver, the flow of liquid fuel to said engine whereby the engine off vehicle can be progressively disabled by the transmitting of a encrypted laser signal from transmitter (see column 2, lines 43-68), and delay means associated with electrically activated solenoid valve for de-actuating solenoid valve by the controlling operator or other authority after the actuation thereof whereby liquid fuel is permitted to flow to said engine by the controlling operator or similar authority (see columns 1-2, lines 61-22).

As per claim 5, Kelley discloses a remote control system for an automotive vehicle having an engine with a liquid fuel supply system comprising a receiver mounted on said vehicle adapted to supply an electrical output signal only upon reception of a encrypted narrow or wide beam signal modulated in accordance with an encrypted pre-selected pattern (see the abstract; column 4, lines 16-60; and columns 5-6, lines 64-47), a transmitter located at a position remote

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from said receiver and adapted to selectively transmit a encrypted signal modulated in accordance with said encrypted pre-selected pattern (see column 2, lines 24-42; and columns 4-5, lines 61-63), an electrically actuated solenoid valve connected in said fuel supply system for interrupting, in response to an output signal supplied by said receiver, the flow of liquid fuel to said engine whereby the engine of said vehicle may be disabled by the transmitting of a signal from said transmitter (see column 2, lines 43-68), and delay means associated with electrically actuated interrupting valve adapted to de-actuate said interrupting valve upon receipt of an encrypted deactuation signal received from the transmitter by the controlling operator or similar authority, whereby liquid fuel is permitted to flow to said engine upon receipt of signal (see columns 1-2, lines 61-23).

As per claim 6, Kelley discloses a logic algorithm consisting of subroutines as it applies to the encryption and decryption of the radiation signals and the pre-selected modulated encryption pattern as transmitted by transmitter and received by receiver equivalent to the standard known as the Data Equipment Standard (D.E.S.) (see columns 5-6, lines 64-47).

As per claim 7, Kelley discloses a remote control system in which a specific vehicle may be controlled by using any one of the following means or a combination thereof a) the vehicle may be slowed, b) slowed and stopped, c) the emergency lights be made to flash, d) the horn may be activated to emit sound waves, e) activation of a sensor or transponder which may be activated remotely by a controlling operator or by a geographical orbital satellite from which a geographical positioning and tracking system may track the vehicle or vehicles from a position remote from the vehicle the activation and manipulation of one or more or a combination of

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these functions by means of encrypted highly user directional, user adjustable laser beam adjustable from narrow to wide beam pattern of laser waves (see columns 1-2, lines 61-23).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

. Iu (5815822)

. Ditson (5933075)

. Muise et al. (6072248)

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 571-272-6968. The examiner can normally be reached on M-F 6:30 AM-4:00 PM), off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Patent Examiner
Dalena Tran



August 30, 2007